

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No. 4:06CR135 RWS
)
MARK A. ROARK,)
)
Defendant.)

ORDER


This matter is before the Court on defendant Mark A. Roark's motion to suppress evidence and statements.

Pursuant to 28 U.S.C. § 636(b), the motion was referred to United States Magistrate Judge David D. Noce. On April 21, 2006, defendant appeared in open court, with counsel, and waived his rights to file pretrial motions and to have a pretrial hearing. Thereafter Judge Noce filed his Order and Recommendation and recommended that the defendant's motion be denied as moot.

Accordingly,

IT IS HEREBY ORDERED that the Order and Recommendation of the United States Magistrate Judge [#75] is **SUSTAINED, ADOPTED, and INCORPORATED** herein.

IT IS FURTHER ORDERED that defendant's motion to suppress evidence and statements [#57] is denied as moot.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 3rd day of May, 2006.